

# The Cost and Benefits of Minnesota's Proposed Photo ID Constitutional Amendment



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*Peter J. Nelson, John LaPlante, and Kent Kaiser, Ph.D.*

## Executive Summary

In November, Minnesota voters will be asked to approve a constitutional amendment that would require people to present a photo ID before voting. In light of Minnesota’s loose voting rules and disputes over recent elections decided by razor thin margins, the amendment offers a sensible solution to help prevent fraud and maintain voters’ confidence in Minnesota elections.

Opponents claim the photo ID requirement will be too costly. However, estimates offered by Common Cause Minnesota and other groups wildly exaggerate the likely cost. By itself, a photo ID requirement will create minimal financial obligations, roughly \$2.9 million in the first general election, \$915,000 in the second, and less in subsequent elections.

Costs of photo ID				
Requirement	Start-up/1st General Election	2nd General Election	3rd General Election	Future General Elections
Provisional Voting Web Interface	\$84,000	n/a	n/a	n/a
Provisional Ballot Lock boxes	\$336,000	n/a	n/a	n/a
Provisional Ballot Supplies	\$50,000	\$50,000	\$50,000	\$50,000
Free photo IDs	\$1,108,000	\$215,000	\$215,000	\$215,000
Public education campaign	\$1,300,000	\$650,000	\$325,000	\$0
Poll-worker training	De minimis	De minimis	De minimis	De minimis
<b>Total</b>	<b>\$2,878,000</b>	<b>\$915,000</b>	<b>\$590,000</b>	<b>\$265,000</b>

Photo ID would produce cost savings by streamlining the verification and registration of voters, eliminating the awkward process of verifying identity and residence through vouching, reducing the complexity of the registration judge’s job, and increasing the accuracy of registrations. Due to a lack of data, these savings were not measured. Though difficult to measure, they do provide an offset to the above costs, especially in high-population counties.

Substantial cost savings accrue when photo ID is coupled with electronic poll book technology. E-poll books and photo ID should be viewed as going hand-in-glove in order to maximize efficiencies, cost savings, return on investment, and bolstering of the principles of voters’ rights. After an initial investment of \$5 million in e-poll books, the data in this report point to substantial ongoing savings of \$1.1 million per general election (the mid-point between the low and high estimates).

Savings of photo ID with electronic poll books in a general election		
Category	Low estimate	High estimate
Fewer election judges	\$440,000	\$535,000
Less time for data entry of election-day registration information and updating voter history	\$478,000	\$669,000
Less time spent by county attorneys	\$30,000	\$45,000
<b>Total</b>	<b>\$948,000</b>	<b>\$1,249,000</b>

## I. Introduction

In November, Minnesota voters will be asked to approve a constitutional amendment that would require people to present a photo ID before voting.<sup>1</sup> In light of Minnesota's loose voting rules and disputes over recent elections decided by razor thin margins, the amendment offers a sensible solution to help prevent fraud and maintain voters' confidence in Minnesota elections.

After the presidential elections of 2000 and 2004, the bipartisan Commission on Federal Election Reform led by former President Jimmy Carter and former Secretary of State James Baker concluded that our "electoral system cannot inspire public confidence if no safeguards exist to deter and detect fraud or to confirm the identity of voters." Based on that conclusion, the Commission recommended that states require voters to present a photo ID when voting.

Considering the conclusions and recommendations of the Commission, it should be no surprise that photo ID laws receive broad, bipartisan support. Recent polling by Rasmussen estimates that 75 percent of Americans support photo ID.<sup>2</sup> In Minnesota, recent polling from Survey USA reports that 65 percent of likely voters support the photo ID amendment.<sup>3</sup> And while photo ID laws

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1 Minnesota Legislature, 87<sup>th</sup> Session, HF 2738, available at [https://www.revisor.mn.gov/revisor/pages/search\\_status/status\\_detail.php?b=House&f=HF2738&ssn=0&y=2011](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF2738&ssn=0&y=2011).

2 Rasmussen Reports, "75% Support Showing Photo ID At The Polls," June 9, 2011, available at [http://www.rasmussenreports.com/public\\_content/politics/general\\_politics/june\\_2011/75\\_support\\_showing\\_photo\\_id\\_at\\_the\\_polls](http://www.rasmussenreports.com/public_content/politics/general_politics/june_2011/75_support_showing_photo_id_at_the_polls).

3 At one of its websites, the pro-amendment group Minnesota Majority lists the results of four different surveys taken on the subject since 2006. Support for a requirement ranged from 73 to 84 percent, depending on the survey. See "Polling Results," We Want Voter ID, <http://www.wewantvoterid.com/polling-results/>. A recent poll from Survey USA, not included on the website We Want Voter ID, reported that 65 percent of likely voters would support the amendment. At least 60 percent of respondents of all age groups, income levels, levels of educational achievement and region of residence support the amendment. The only self-identified group of which at least 50 percent would vote "no" on the

might receive stronger support from conservatives, a Democratic legislature and a progressive governor enacted photo ID requirements in Rhode Island in 2011.

Nonetheless, there is strong partisan opposition in Minnesota from Democrats and a handful of left-of-center organizations. One of their main arguments against adopting a photo ID law is that it will be too costly.

The possible cost of a photo ID law is certainly a legitimate and even necessary factor to investigate in order to make an informed decision. This report assesses the costs that Minnesota should expect from photo ID and finds that short-term, upfront costs would be quite minimal. And, over the long term, depending on how the photo ID amendment is implemented, the amendment may result in an overall savings to the election system. Savings largely depend on implementing photo ID with electronic poll books.

This report is guided by the following voters' rights principles that many others have used nationally, in whole or in part, in discussions of election systems and their costs:

- Access: Legitimate voters should have easy access to a ballot.
- Accuracy: Voters should know that their ballots are being counted accurately.
- Privacy: Voters have the right to a secret ballot.
- Integrity: Voters should be confident that their election systems deter and detect fraud.

These principles are timeless and all four must be in balance for our election system to be as strong as it can be. Implementation of the photo ID amendment will strengthen the accuracy, privacy, and integrity of our election system, and it will give

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amendment was liberals, at 50 percent. See SurveyUSA, "Results of SurveyUSA Election Poll #19394," July 20, 2012, available at <http://www.surveyusa.com/client/PollReport.aspx?g=7eeab57a-eb71-47e3-aed7-5cab8493d94f>.

access the prestige it deserves. Anti-reform photo ID opponents who seek looseness in access and cheapness in election quality do so at the peril of accuracy, privacy, and integrity.

## II. The Proposed Constitutional Amendment

If the people of Minnesota approve the ballot question proposed by the Minnesota Legislature, the following language will be added to article VII, section I of the Minnesota Constitution:

(b) All voters voting in person must present valid government-issued photographic identification before receiving a ballot. The state must issue photographic identification at no charge to an eligible voter who does not have a form of identification meeting the requirements of this section. A voter unable to present government-issued photographic identification must be permitted to submit a provisional ballot. A provisional ballot must only be counted if the voter certifies the provisional ballot in the manner provided by law.

(c) All voters, including those not voting in person, must be subject to substantially equivalent identity and eligibility verification prior to a ballot being cast or counted.<sup>4</sup>

To summarize the language of the amendment, the main requirement is that all citizens voting in person must present valid government-issued photographic identification before receiving a ballot. There are then three features that are included to support the photo ID requirement:

- First, the state must issue an identification card at no charge to any eligible voter who requests one.
- Second, voters who are unable to present a

photo ID will vote by a provisional ballot, which means they must satisfy certain conditions after the election for the vote to be counted.

- Third, those not voting in person “must be subject to substantially equivalent identity and eligibility verification.” This requirement respects the need for certain flexibility for people unable to vote in person

## III. Financial costs and benefits of photo ID

As is the case with most laws, enacting the amendment will have financial repercussions, either positively or negatively. Among the possible costs:

- Increased demands on staff time during the election to verify IDs and issue provisional ballots;
- Free photo ID cards for people who do not have one;
- Voter outreach and education programs to notify the public about the new law, provisions for free photo IDs, and provisional voting; and
- Increased demands on local government staff time after the election, to certify provisional ballots.

The photo ID amendment also creates the opportunity for cost savings in the election system, especially if photo ID is implemented in combination with new technology and, in particular, electronic poll books. Among the possible savings:

- Reduced demand on staff time due to a more efficient voter sign-in and Election Day registration process;
- Less post-election data entry;
- Reduced demand on county attorney staff time to investigate possible irregularities in voter registration;
- Reduced costs to courts and county attorneys for prosecuting knowingly ineligible voters;

<sup>4</sup> Laws of Minnesota 2012, chapter 167, available at <https://www.revisor.mn.gov/laws/?id=167&doctype=Chapter&type=0&year=2012>.



- Fewer errors in the statewide voter registration system; and
- Lower printing costs for paper poll books.

Various people and organizations have attempted to estimate the cost of a photo ID law on Minnesota's election system. The Office of the Secretary of State and the Department of Vehicle Services provided estimates for fiscal notes on various legislative proposals during the 2011-2012 legislative session. Relying on these fiscal notes, the pro-amendment advocates behind the website "Protect My Vote," say the start-up costs will be \$10-12 million, with ongoing costs of \$2-3 million per election cycle.<sup>5</sup> In March 2011, Common Cause Minnesota and Citizens for Election Integrity Minnesota issued a report that said election reforms that included a photo ID requirement would cost taxpayers \$25-84 million over a three-year period, depending on which proposal then under discussion would be enacted.<sup>6</sup> Finally, a widely cited report from three master's degree students at the University of Minnesota, published in April 2012,<sup>7</sup> largely recites the cost estimates from the fiscal notes and Common Cause, but adds an estimate for provisional balloting of \$1.37 million per election.<sup>7</sup>

None of these estimates account for the factors that may result in long-term savings. Furthermore, these estimates tend to add expensive computer systems to the cost side of the equation that are not required by the amendment. The fact is, the cost of the amendment depends on the details of implementation. The amendment creates a broad list of goals, while the implementation and operational costs will be shaped by specific decisions that will be made by future lawmakers. As outlined below, there is a low cost path to implement the

<sup>5</sup> Protect My Vote, "Frequently Asked Questions," available at [http://www.protectmyvote.com/?page\\_id=1568](http://www.protectmyvote.com/?page_id=1568).

<sup>6</sup> Minnesota Common Cause and Citizens for Election Integrity, "The High Cost of Voter ID Mandates," Briefing Paper, March 2011, available at [http://www.ceimn.org/sites/default/files/Voter-ID-Cost\\_March%202011\\_1.pdf](http://www.ceimn.org/sites/default/files/Voter-ID-Cost_March%202011_1.pdf).

<sup>7</sup> Nicholas Anhut, Nina Huntington, and Melissa Young, "Voter Identification: The True Costs," The Hubert H. Humphrey School of Public Affairs, University of Minnesota, April 20, 2012, available at <http://bit.ly/HHH-ID>.

amendment and even a path that may result in long-term cost savings.

## A. Financial costs

In determining the possible financial costs of photo ID, it is important to distinguish between the costs that will be required by the photo ID amendment, and those that local governments or the state may assume as the result of further deliberations.

### 1) Provisional balloting

Provisional balloting, which is used in most states, allows a voter who does not meet some of the legal requirements on Election Day to cast a ballot.<sup>8</sup> The voter must then visit a government office within a specified time to fix the deficiency and get his or her vote counted. In 2008, a presidential election year, there were more than 2 million provisional ballots cast in the country, and in 2010, there were more than 1 million.<sup>9</sup>

The cost of introducing provisional balloting to Minnesota elections should be quite minimal, because its use would be limited to cases in which a voter arrives at the polling place without a photo ID. Most provisional ballots in other states are issued due to registration-related issues, not ID issues. This is so even in a state such as Indiana, which has strict rules requiring a photo ID. A sample of Indiana's county clerks, contacted by the Iowa State Association of County Auditors, reported that most provisional ballots were cast for reasons other than lack of an ID.<sup>10</sup> Aside from these personal accounts, Ohio is the only state found that

<sup>8</sup> National Conference of State Legislatures, "Voter Identification Requirements," <http://www.ncsl.org/legislatures-elections/elections/voter-id.aspx>.

<sup>9</sup> U.S. Election Assistance Commission, "The 2008 Election Administration and Voting Survey," November 2009, available at <http://www.eac.gov/assets/1/Documents/2008%20Election%20Administration%20and%20Voting%20Survey%20EAVS%20Report.pdf>.

<sup>10</sup> Iowa State Association of County Auditors, "A Report on Photo ID for Voting Purposes," February 2011, available at [http://www.iowaauditors.org/index\\_files/ISACAVoterIDReport020211final.pdf](http://www.iowaauditors.org/index_files/ISACAVoterIDReport020211final.pdf).

**Table 1: Provisional balloting in Election Day registration states and the U.S., 2008**

	Provisional Ballots Cast 2010	Percent of votes	Provisional Ballots Cast 2008	Percent of votes
<b>Iowa</b>	1,991	0.2%	4,307	0.3%
<b>Maine</b>	159	0.0%	291	0.0%
<b>Montana</b>	2,738	0.7%	3,762	0.8%
<b>Wisconsin</b>	64	0.0%	211	0.0%
<b>Wyoming</b>	25	0.0%	56	0.0%
<b>U.S.</b>	1,061,569	1.2%	2,157,126	1.6%

**Table 2: Provisional balloting in Georgia and Indiana**

	Provisional Ballots Cast 2010	Percent of votes	Provisional Ballots Cast 2008	Percent of votes
<b>Georgia</b>	8,359	0.3%	17,365	0.4%
<b>Indiana</b>	1,822	0.1%	3,690	0.1%

Sources: U.S. Election Assistance Commission, “2008 Election Administration and Voting Survey: A Summary of Key Findings” (Nov 2009), available at <http://www.eac.gov/assets/1/Documents/2008%20Election%20Administration%20and%20Voting%20Survey%20EAVS%20Report.pdf>, and U.S. Election Assistance Commission, “2010 Election Administration and Voting Survey: A Summary of Key Findings” (Dec 2011), available at [http://www.eac.gov/assets/1/Documents/990-281\\_EAC\\_EAVS\\_508\\_revised.pdf](http://www.eac.gov/assets/1/Documents/990-281_EAC_EAVS_508_revised.pdf). See tables 29A and 35 for 2008, and tables 28 and 34 for 2010.

tracks and categorizes the reasons voters are given a provisional ballot. In Ohio’s 2011 general election, only 3,620 provisional ballots were issued to voters who could not provide sufficient identification. This number made up only 4.7 percent of all provisional ballots cast and a miniscule 0.1 percent of total votes casts.<sup>11</sup> A similar rate applied to Minnesota’s 2008 presidential election would have resulted in 2,914 provisional ballots, or less than one per precinct.

It is also instructive to consider the experience of states with both Election Day registration and provisional balloting. These states best reflect what Minnesota’s election rules will be like if the photo ID amendment passes. In these states there should be little need for provisional balloting, because a voter who is not on the voter registration list can register on the spot. And that is demonstrated in Table

1. Provisional balloting is virtually non-existent in Maine, Wisconsin, and Wyoming. Provisional balloting occurs more measurably in Iowa and Montana, but it is still much less than the national average. And while the election systems in the two states (Indiana and Georgia) that have recently implemented a photo ID requirement are different from Minnesota, it’s also worth noting (Table 2) that they likewise issue very few provisional ballots.

Based on data from Ohio, Election Day registration states (Table 1), and strict photo ID states (Table 2)—and after removing the outlier data points—it’s reasonable to assume that provisional ballots will represent anywhere between 0.1 percent and 0.4 percent of the total votes in Minnesota. With 2,920,214 Minnesota voters participating in the 2008 presidential election, that reflects a range of 2,920 to 11,681 provisional ballots. By comparison, Common Cause assumed a range of 16,545 to 29,781 and picked the top of the range for their

<sup>11</sup> Ohio Secretary of State, “2011 Election Results,” available at <http://www.sos.state.oh.us/sos/elections/Research/electResultsMain/2011results.aspx>.



cost estimates. This higher range is the result of comparing Minnesota to other states without accounting for the fact that most provisional ballots are cast due to registration issues, not ID issues. With Election Day registration, Minnesota eliminates the non-photo ID reasons that other states have had to use provisional voting.

Even using the higher numbers, Common Cause estimates provisional balloting will cost just \$110,000 in supplies for each election, after equipping each polling place with a metal ballot box at a cost of \$335,792. Because Common Cause inflates the number of provisional ballots needed, the ongoing cost for supplies will likely be closer to \$50,000, not \$110,000. Under federal law, states with provisional balloting must create an Internet site or toll-free phone system to allow voters to check on the status of their vote. Adding a web interface would cost \$84,000.<sup>12</sup> The University of Minnesota students' report estimates provisional balloting will cost as much \$1.37 million per election, but this estimate wrongly assumes every Election Day registrant—500,000+ voters—will require a provisional ballot. The following section explains why this assumption is just plain wrong.

## **2) The amendment does not require expensive computers in each polling place or extensive provisional balloting**

Opponents of photo ID argue the amendment's requirement that all voters be subject to "substantially equivalent" eligibility verification prior to voting will result in one of two exceedingly burdensome changes to Election Day registration: Either each polling place will need expensive computers connected in real-time with state and federal databases or all 500,000+ Election Day registrants would need to cast a provisional ballot. Secretary of State Mark Ritchie has said the amendment "would replace same-day voter registration with a new

<sup>12</sup> In a fiscal note for HF 89, the office of the Secretary of State estimates the web interface would require 1050 hours of work at \$80/hr. Minnesota Management and Budget, "Consolidated Fiscal Note – 2011-12 Session," Bill #H0089-1E (02/22/2011), available at [http://www.mmb.state.mn.us/bis/fnts\\_leg/2011-12/H0089\\_1E.pdf](http://www.mmb.state.mn.us/bis/fnts_leg/2011-12/H0089_1E.pdf).

election system called provisional voting," resulting in citizens having to wait for days before 500,000-600,000 provisional ballots were processed.<sup>13</sup>

Why? According to opponents, a substantially equivalent eligibility verification process for all voters requires that, prior to voting, Election Day registrations must be verified by the same "rigorous analysis of various government databases" as applied to those who pre-register before Election Day.<sup>14</sup>

While it's not entirely unreasonable to conclude that the amendment language imposes requirements on the State's current system of verifying applications for voter registration, there's a far more reasonable interpretation that does not lead to an extreme result in which lawmakers must choose between one of two absurdly burdensome options.

To review, here is the exact amendment language:

Minn. Const. Art. VII (1) (c) All voters, including those not voting in person, must be subject to substantially equivalent identity and eligibility verification prior to a ballot being cast or counted.<sup>15</sup>

The more reasonable interpretation of this language is that it centers on what voters must do to verify their identity and eligibility when they show up at the polling place or mail in a ballot.

This interpretation makes sense when you look around at other states' voter ID requirements. No doubt the authors of the amendment looked around to other states for examples. If they did, they would have found language from Montana that allows

<sup>13</sup> Mark Ritchie, "Swift action needed to save same-day registration," MinnPost, March 30, 2012, available at <http://www.minnpost.com/community-voices/2012/03/swift-action-needed-save-same-day-registration>.

<sup>14</sup> Minneapolis City Council, Voter Identification in Minnesota: A review of the proposed constitutional amendment to be submitted to voters in November 2012 (July 19, 2012), available at <http://www.minneapolismn.gov/www/groups/public/@clerk/documents/webcontent/wcms1p-096009.pdf>.

<sup>15</sup> Laws of Minnesota 2012, chapter 167, available at <https://www.revisor.mn.gov/laws/?id=167&doctype=Chapter&type=0&year=2012>.



an election judge to rely on a photo ID or some other identification “to verify the voter’s identity and eligibility.”<sup>16</sup> Or lawmakers might have drawn from Missouri’s voter ID requirement. It reads: “Before receiving a ballot, voters shall *establish their identity and eligibility* to vote at the polling place by presenting a form of personal identification.”<sup>17</sup> This language is remarkably similar to the amendment and is clearly focused what a voter must do.

Using this reasonable interpretation, the language adds three important elements to the amendment. First, by requiring “all voters” to be subject to a substantially equivalent standard, it effectively requires a statewide standard, which helps prevent any inconsistent application of “identity and eligibility verification” from county to county. Second, by applying a substantially equivalent standard to “those not voting in person,” it addresses how to treat absentee ballots. The identities of those not voting in person must be verified by something substantially equivalent to the in-person photo ID requirement. Figure 1 demonstrates how an absentee envelope may need to be altered to accommodate this requirement. Only two simple changes would be necessary: Delete the “I do not have” an ID **checkbox and** require the witness to certify that they were shown a photo ID. Mail ballots for mail-in precincts also require witnesses and could be similarly altered to be substantially equivalent to in-person photo ID requirements.<sup>18</sup> Third, requiring a “substantially equivalent” standard creates enough wiggle room to accommodate unique circumstances, such as voting by nursing home residents or those

**Figure 1: A modified absentee ballot envelope altered to satisfy the Photo ID Amendment**

Put the Ballot Envelope in here, then seal flap

**Signature Envelope**

please print clearly

Voter must complete this section

Voter name

Voter MN address   MN

ID number (MN driver's license #, MN ID card #, or last four digits of SSN)

I do not have a MN-issued driver's license, MN-issued ID card, or a Social Security Number.

I certify that on Election Day I will meet all the legal requirements to vote by absentee ballot.

Voter Signature  X

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Witness must complete this section

Witness name

MN street address (or title, if an official or notary)   MN

I certify that:

- the voter showed me the blank ballots before voting;
- the voter showed me government-issued photographic identification before voting;**
- the voter marked the ballots in private or, if physically unable to mark the ballots, the ballots were marked as directed by the voter;
- the voter enclosed and sealed the ballots in the ballot envelope; and
- I am or have been registered to vote in Minnesota, or am a notary, or am authorized to give oaths.

Witness Signature  X

If notary, must affix stamp

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For Official Use Only

Accepted  Rejected (reason: )

Signature Envelope—Registered

16 Mont. Code Ann. § 13-13-114 (2011), available at <http://data.opi.mt.gov/bills/mca/13/13/13-13-114.htm>.

17 Mo. Rev. Stat. § 115.427 (2011), available at <http://www.moga.mo.gov/statutes/C100-199/1150000427.HTM>.

18 A report from the Citizens for Election Integrity on the cost of voter ID assumes that mail-in voting will be eliminated to meet the “substantially equivalent eligibility and verification” requirement. They estimate switching mail-in precincts to in-person voting precincts would cost \$1 million. Kathy Bonnifield and David A. Schultz, *The Cost of the Proposed Elections Amendment* (Citizens for Election Integrity, September 2012). A simple requirement for witnesses to attest to being shown a photo ID would allow mail-in precincts to continue operation as before.

Source: Ballot modified from original sample ballot retrieved from the Office of the Secretary of State website at <http://www.sos.state.mn.us/index.aspx?page=317>.

serving in the military. These three elements are eminently reasonable and possibly necessary to guarantee that the amendment satisfies the U.S. Constitution's equal protection guarantees.

Importantly, nothing in the amendment language or the rest of the amendment directly references or implicates the registration process, which might then trigger the need to verify registrations against government databases. However, even if the language does pose a requirement on the state's voter registration verification system, there are far less burdensome alternatives to guarantee "substantially equivalent" verification. To name just two, aspects of the verification process that rely on cross checking with government databases could be postponed until after the election, which would mean pre-registrants would be checked after they vote, as are Election Day registrants today. Alternatively, lawmakers could require election judges to check Election Day registrants against a printed or electronic list of ineligible voters downloaded from the government databases.

Neither option is ideal, but they're better than the alternatives proffered by the Office of the Secretary of State. Fortunately, there's a simpler interpretation that leads to a more sensible outcome.

### 3) The costs of free photo IDs: Slightly more than \$1 million, declining over time

Minnesota has long had a menu of photo IDs and other documents that voters may use to establish eligibility to register to vote.<sup>19</sup> This menu would not need to change under the constitutional amendment.

One thing that would change is that the state would be required to provide ID cards at no cost to voters who need one. What, then, is the cost to the taxpayer? Most people could simply continue to use their drivers' licenses, with no financial hit for

<sup>19</sup> For a list of documents that can be used to establish eligibility, see the Office of the Secretary of State, in particular, "Registering to Vote," available at <http://www.sos.state.mn.us/index.aspx?page=204>.

the state. A small percentage of people would seek state-issued ID cards. These cards are similar to a Minnesota drivers' license and are produced by the Minnesota Department of Public Safety, Division of Vehicle Services. The Division of Vehicle Services estimates that 72,000 people would request a card in the first biennium, at a cost to the state of \$1.108 million.<sup>20</sup> It also says the cost to the state in the following two years would be \$215,000 per year.

These costs appear to be a reasonable estimate. Opponents have noted that Indiana ended up issuing far more free IDs at a higher expense than the state expected. Georgia, however, experienced quite the opposite. Leading up to the 2008 presidential election, only 12,332 Georgians obtained a free photo ID and two years later, only 2,683 obtained a free ID.<sup>21</sup>

### 4) The costs of a public education campaign: \$1.3 million for first election

Minnesota will need to implement an educational campaign to educate voters about the new photo ID requirement and remind them about it, especially when elections draw near. Based on recent federal court cases, photo ID requirements appear to need educational campaigns to pass constitutional muster. This means a media campaign with a particular focus on voters who are more likely to not have a government-issued photo ID. Fiscal notes prepared for various photo ID proposals during the 2011-2012 legislative session pegged the cost of educational outreach at \$2.8 for the first election, half that in the next election year, and less again in subsequent years.<sup>22</sup> By 2021, the cost is expected to

<sup>20</sup> Minnesota Management and Budget, "Consolidated Fiscal Note – 2011-12 Session," Bill #S0509-4E (04/26/2011), available at [http://www.mmb.state.mn.us/bis/fnts\\_leg/2011-12/S0509\\_4E.pdf](http://www.mmb.state.mn.us/bis/fnts_leg/2011-12/S0509_4E.pdf), estimates that 72,000 eligible Minnesotans will request a state-subsidized photo ID.

<sup>21</sup> Hans A. von Spakovsky, "Lessons from the Voter ID Experience in Georgia," Heritage Foundation Issue Brief No. 3541 (Mar. 19, 2012), available at <http://www.heritage.org/research/reports/2012/03/lessons-from-the-voter-id-experience-in-georgia>.

<sup>22</sup> See Minnesota Management and Budget, "Consolidated Fiscal Note – 2011-12 Session," Bill #S0509-4E

drop to \$270,000.

Common Cause Minnesota arrives at a far more inflated estimate. It claims that Minnesota would have to spend over \$19 million in a three-year period to inform people about the law and the availability of free IDs.<sup>23</sup> This estimate is based entirely on one fiscal note for a bill proposed in 2010 in Missouri.

Clearly, Common Cause sought out the largest possible fiscal note it could find to create an estimate. This is proven by a post on the organization's blog, which states, "[h]ow states estimate the costs of implementing photo ID legislation varies widely."<sup>24</sup> A Missouri bill from 2011 is the highest cost example, at \$10 million over two fiscal years, but that's for the total cost of implementation, not just education. The estimated education costs in that bill were actually \$4 million over two years. Other fiscal notes cited in the blog include much lower education outreach estimates, including: \$0 in Maryland, based on the assumption that federal funding will cover costs; a "non-recurring" cost of \$160,000 in South Carolina; \$2 million for one year in Texas; and \$650,000 in Wisconsin.

The actual costs from Indiana are more in line with these lower cost estimates. Indiana spent just \$2.2 million between 2005 and 2010, including \$600,000 in 2010.<sup>25</sup>

Considering these lower estimates, a \$1.3 million target—double the Wisconsin's estimate—for the first election and less thereafter would be a reasonable estimate. That would allow \$100,000

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(04/26/2011), available at [http://www.mmb.state.mn.us/bis/fnts\\_leg/2011-12/S0509\\_4E.pdf](http://www.mmb.state.mn.us/bis/fnts_leg/2011-12/S0509_4E.pdf).

23 *Id.*, Minnesota Common Cause and Citizens for Election Integrity.

24 Common Cause, "Debate over photo ID shifts to costs," March 23, 2011, available at <http://www.commonblog.com/2011/03/23/debate-over-photo-id-at-the-polls-shifts-to-costs/>.

25 Iowa State Association of County Auditors, "A Report on Photo ID for Voting Purposes," February 2011, available at [http://www.iowaauditors.org/index\\_files/ISACAVoterIDReport020211final.pdf](http://www.iowaauditors.org/index_files/ISACAVoterIDReport020211final.pdf).

for mailing to the 215,000 registered voters without a valid ID, \$200,000 to engage hard-to-reach populations, and \$1 million for broadcast and print media. As the number of elections with a photo ID requirement increases over time, the need to spend extra money on a public education campaign will dwindle to zero.

In the short term, spending much more than \$1.3 million may be an unwise investment. Minnesota already conducts extensive voter outreach, through the Office of the Secretary of State, through county auditors' offices, and through nongovernmental organizations such as the League of Women Voters. Substantially increasing spending without changing current practices would be unwise. Over the past five years, the Office of the Secretary of State has spent hundreds of thousands of dollars on voter outreach and has produced a negative return for the taxpayers: Voter turnout rates have been going down, not up.

#### 5) The costs to hire and train poll workers: *De minimis*

Secretary of State Mark Ritchie and some local election officials have claimed that implementing photo ID and provisional balloting would require extensive and expensive training of election judges. Common Cause claims that the photo ID requirement envisioned in SF509 (which was vetoed in 2011 by Governor Dayton) would be \$1.6 million. This claim seems disingenuous, given that state and local officials provide training each election cycle, anyway, within their current budgets, even accommodating substantial changes to election law when they happen. Disinterested observers might be forgiven for wondering if calls for more money to implement a specific form of training (whatever is useful for implementing photo ID) are simply attempts to feather the budgets of local governments with state or federal funds.

In regards to provisional balloting, because the need for them will likely require a small addition to the workload of local officials, its cost under voter ID will be at worst, modest. Further, as discussed below,



**Table 3: Costs of photo ID**

Requirement	Start-up/ 1st General Election	2nd General Election	3rd General Election	Future General Elections
Provisional Voting Web Interface	\$84,000	n/a	n/a	n/a
Provisional Ballot Lock boxes	\$336,000	n/a	n/a	n/a
Provisional Ballot Supplies	\$50,000	\$50,000	\$50,000	\$50,000
Free photo IDs	\$1,108,000	\$215,000	\$215,000	\$215,000
Public education campaign	\$1,300,000	\$650,000	\$325,000	\$0
Poll-worker training	De minimis	De minimis	De minimis	De minimis
<b>Total</b>	<b>\$2,878,000</b>	<b>\$915,000</b>	<b>\$590,000</b>	<b>\$265,000</b>

these costs would likely be offset by eliminating the need for workers to facilitate vouching.

It is true that local elections offices will need to have staff available after the election to assist people who wish to show their ID. It is highly likely, though, that this work would be absorbed into the normal day-to-day operations of local election offices, as is the case with in-person absentee voting. In some high-volume locations, however, a staff person might have to be devoted more specifically to this task during the week, but the situation will be far from a crisis. As will be discussed later, the elimination of vouching should help offset any extra workload created by provisional balloting. Overall, any new demands on election judges and county staff could be absorbed by current training programs and current staff.

Opponents have claimed that implementing a photo ID requirement would dissuade people from enlisting as election judges and that current election judges would quit. They paint poll workers as old and unable to deal with technology. Yet on-the-ground evidence from places with photo ID requirements does not support this stereotype. U.S. Election Assistance Commission surveys reveal Minnesota is one of the easiest places to attract poll workers.<sup>26</sup>

<sup>26</sup> U.S. Election Assistance Commission, 2010 report, Table 40.

### 6) Summary of costs for photo ID

The expected costs of photo ID, then, are minimal. The costs for the first election year include \$1.3 million for public outreach and education, \$1.1 million for free IDs, and up to \$500,000 to implement provisional balloting. That all adds up to \$2.9 million, a cost that substantially declines in each subsequent election. Education costs are projected to drop by half after the first general election. Likewise, the cost of free IDs is, according to fiscal notes, expected to drop to \$215,000 per year. And, with ballot boxes purchased, ongoing supplies for provisional balloting drop to about \$50,000. Thus, costs drop to \$915,000 in the second general election.

These cost estimates are quite minimal on their own, but they don't yet factor in the possibility of savings. Requiring a photo ID to vote may mean that every voter will enter the polling place with a swipe card that can facilitate the implementation of more efficient electronic poll books.

Note that there would also be costs in off-year elections, just as there would be savings. Off-year elections are not consistent and, as such, are far more difficult to estimate the possible costs and savings, especially the savings. Therefore, this report focuses on comparing the cost and savings in general elections.

## B. Financial Benefits

Photo ID alone would produce cost savings. Verification of Election Day registrants would be streamlined because all registrants would be subject the same photo ID requirement to determine identity and eligibility. Determining eligibility through the awkward vouching process would no longer be an option. By reducing the complexity of the registration judge's job, the need for training is also lessened. Finally, requiring a photo ID of Election Day registrants increases the accuracy of the registration and, thereby, reduces after-the-fact follow-up on unverifiable registrants by county attorneys. No one has calculated the exact cost of these activities to county property tax payers, but they certainly provide an offset to the costs just outlined, especially in high-population counties.

Really substantial cost efficiencies accrue when photo ID is coupled with electronic poll book technology. Indeed, the combination of photo ID and electronic poll books would likely result in an overall cost savings in election administration, which is a benefit to taxpayers.

### 1) E-poll books are key to getting the most out of photo ID

In brief, an electronic poll book (e-poll book) is a computer program that replaces the printouts of voter registration information that people are used to seeing on Election Day. Their costs and benefits stand or fall on their own merit; 27 states, including many that do not have a photo ID requirement, use them to sign in voters, update voter history, and look up polling places.<sup>27</sup>

Photo ID opponents have taken two stands on e-poll books. First, some have suggested implementing e-poll books alongside the antiquated paper-poll book system, which would simply make e-poll books a rather expensive add-on or redundancy. Second, others have suggested implementing e-poll books and using them at the polling place to create on-

<sup>27</sup> U.S. Election Assistance Commission, 2010 report, Table 36.

the-spot photo IDs. This is a feature of some e-poll book systems, but the problem with this, of course, is that photo IDs created this way could lack the integrity of having legitimate documentation to back them up. Indeed, the integrity of photo IDs would be seriously compromised by handing them out to voters who have no proof of identity or residence but only a person to vouch for them.

E-poll book technology should not be implemented just for the sake of modernization, at the expense of guaranteeing election integrity. The point of modernizing elections should always be to strengthen all four voters' rights—access, accuracy, privacy, and integrity—and never to weaken any one of them while strengthening the others. These four principles, by the way, are also the four pillars of excellent election administration.

E-poll books and photo ID should be viewed as going hand-in-glove to maximize efficiencies, cost savings, return on investment, and bolstering of the principles of voters' rights. Minnesota legislators who support photo ID certainly understand these synergies. Each legislative proposal to implement photo ID in statute during the 2011-12 Legislative Session paired photo ID with e-poll books.<sup>28</sup> Considering this legislative history, e-poll books will likely be a key part of implementing the legal requirements of the photo ID amendment. As such, it makes sense to incorporate e-poll books as part of the analysis of the costs and benefits of photo ID.

### 2) Expected Cost of E-poll books

How much would electronic poll books cost? Before the Legislature sent the photo ID amendment to voters, Secretary of State Mark Ritchie said e-poll books could be implemented for just \$200,000.<sup>29</sup> But

<sup>28</sup> See Minn. H.F. 210, 87th Legislative Session, 2011-12; Minn. H.F. 302, 87th Legislative Session, 2011-12; Minn. S.F. 169, 87th Legislative Session, 2011-12; Minn. S.F. 354, 87th Legislative Session, 2011-12; and Minn. S.F. 509, 87th Legislative Session, 2011-12.

<sup>29</sup> James Nord, "Dayton and Ritchie again tout electronic poll books as Voter ID alternative," *MinnPost*, March 8, 2012, available at <http://www.minnpost.com/political-agenda/2012/03/dayton-and-ritchie-again-tout-electronic-poll>



the Office of the Secretary of State provides much higher estimates for various legislative proposals. For example, the fiscal note for SF509 projects that the state would need to pay about \$1 million for software upgrades and local governments would need to pay \$5.5 million for new workstations (\$4,293 each), all of which would cover just 10 percent of precincts in Minnesota.<sup>30</sup> These projections assume that the polling place will be electronically connected to the Statewide Voter Registration System (SVRS), but there is no reason why that would be necessary. The relevant information could be downloaded to USB drives for use in the polling place; counties would upload the new information from the drives to the state system after the election.

By contrast to high-priced estimates from amendment opponents, consider information from Datacard Group of Minnetonka, Minnesota, which is arguably the industry leader in e-poll book technology. (It should be noted that the company takes no position on whether voters should endorse the photo ID amendment.) According to the company, the cost of implementing the Cadillac version of electronic poll books in Minnesota would be about \$1,300 per polling place. That would include two poll books (computers) per polling location, plus barcode scanners and electronic signature pads. In addition, the company would offer a statewide license. Thus, the entire state could easily be equipped for under \$5 million.<sup>31</sup>

This contrasts greatly with the \$29 million asserted by the University of Minnesota report, the \$58.8 million claimed by Common Cause, or the \$6.5 million estimate from the fiscal note for SF509 to cover just 10 percent of precincts.

Photo ID opponents have asserted that the cost of implementing e-poll books would fall on county governments. The amendment, however, does not require counties to spend any money on poll

books. Furthermore, there is no reason the State could not provide the funds from any number of sources, including the federal Help America Vote Act (HAVA) funds that are housed at the Office of the Secretary of State.

Moreover, it has always been an assumption among photo ID proponents, and SF509 specifically calls this out, that local governments would determine for themselves whether they would opt in to an e-poll book system. Clearly it would make sense for some small-population precincts to remain on a paper poll book system, and the state should not require them to purchase an electronic system.

### 3) Financial benefits of photo ID

Though the cost side of the analysis is itself difficult to estimate, estimating the financial benefits is by far more difficult. The cost side is aided by the fact that some state legislatures and advocacy organizations have already developed estimates. While somewhat crude, these do offer some reasonable assumptions to work with. Research for this report failed to find estimates of the financial benefits of photo ID.

#### a. Reduced costs for Election Day workers and shorter lines for voters

Pairing photo ID with e-poll books would simplify an Election Day worker's job in a number of ways. First, the registration process would be simplified for registration judges because everyone would provide a substantially similar photo ID to verify their identity. Most registrants would be able to swipe their ID through a scanner that automatically populates their registration information into a computer. Also, the awkward, time-consuming process where a registered voter can vouch for a registrant's identity would be eliminated.

Second, the process for processing pre-registered voters would be similarly streamlined. There would no longer be a need for polling place workers to help voters find their addresses on wall maps; the electronic poll book would process everyone within the polling place. With voters or judges swiping

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books-voter-id-alternative.

30 Minnesota Management and Budget, Fiscal Note SF0509-4E, available at [http://www.mmb.state.mn.us/bis/fnts\\_leg/2011-12/S0509\\_4E.pdf](http://www.mmb.state.mn.us/bis/fnts_leg/2011-12/S0509_4E.pdf).

31 Author's personal communication with Datacard Group.



electronic cards, there would be no need for a judge to page through old-fashioned paper poll books. Without the practical constraints of paper books, voters would no longer have to queue up according to portions of the alphabet, making for a more efficient use of judges. In short, polling places would need fewer workers, not more.

The experience of other states bears out the theory that electronic poll books save time and money. The National Conference of State Legislatures (NCSL), for example, reports that implementing e-poll books “shortened voter check-in time at polling places from 5 to 6 minutes to just 15 to 20 seconds” in Boone County, Missouri.<sup>32</sup> The county clerk “expects to hire 25 percent fewer poll workers now that she’s made the transition to e-poll books.” She also praised e-poll books for reducing training costs, and adds that her poll workers “love” the new approach. Similarly, Stafford County Virginia reduced the need for poll workers by between 23 and 29 percent.<sup>33</sup>

Rural polling places that serve fewer registered voters wouldn’t likely experience savings from e-poll books and, as such, would not implement them.

32 National Conference of State Legislatures “Primaries, Conventions and Caucuses ... Oh My!,” *The Canvass*, November/December 2011, available at <http://www.ncsl.org/legislatures-elections/elections/cnv-the-canvass-november-december-2011.aspx>. One election official who uses an electronic poll book in Tennessee observed, “The system has made the whole process faster. The old process we had to look up in a ledger book, name and address and everything, and they had to initial it. Now they just scan their driver’s license.” Jamey Tucker, “New election system starts slow, gains speed in Sumner County,” WKRN, August 2, 2012, available at <http://www.wkrn.com/story/19183481/new-election-system-starts-slow-gains-speed>; Sarah Bydalek, a city clerk in Walker, Michigan, said, “The major benefit to the E-Poll book has been the reduction in election cost. Regardless of the size or type of election, worker cost has been reduced significantly. Our voters also appreciate the shorter wait time, as the E-Poll book expedites the check in process on Election Day.” “E-Poll books continue ensuring election integrity,” Michigan Department of State, September 7, 2011, available at [http://www.michigan.gov/sos/0,4670,7-127-1640\\_9150-261875--,00.html](http://www.michigan.gov/sos/0,4670,7-127-1640_9150-261875--,00.html).

33 Stafford County, Virginia, “Monthly Report,” May 2011, p.4, available at <http://stafford.va.us/archives/85/May%20Report.pdf>.

But assuming 82 percent of Minnesota poll workers work in precincts with e-poll books, a 25 percent reduction in the need for these poll workers could save between \$440,000 and \$535,000 statewide, based on the number of poll workers in the 2010 and 2008 elections.<sup>34</sup> While many election judges work for relatively low pay—\$8 to \$12 an hour—the City of Minneapolis encourages its employees to work as election judges. **Given that city employees usually have benefits as well as pay that exceeding \$8-12 an hour,** supplementing the ranks of election judges with city employees is a relatively expensive proposition. In turn, eliminating the need for these employees to temporarily leave their jobs for work in polling places represents an unquantifiable benefit to taxpayers.

States that have used electronic poll books have said they save time for everyone involved, including voters. If the adage “time is money” is true and the average Minnesotan saves 5 minutes in line like the residents of Boone County, Missouri, do, Minnesotans could save \$2.3 million simply by getting through the Election Day lines sooner.<sup>35</sup>

34 According to the Minnesota Department of Health, 38 percent of Greater Minnesota lives in isolated or small rural areas, which accounts for about 18 percent of Minnesota’s population. Office of Rural Health, Minnesota Department of Health, Health Status of Rural Minnesotans (November 2011). Based on surveys conducted by the Election Assistance Commission, Minnesota hired 32,669 poll workers in 2008 and 26,950 in 2010. See Election Assistance Commission 2008, table 40, and Election Assistance Commission 2010, Table 39. Cost estimate assumes a 10-hour workday at \$8.00 per hour. Local governments must pay at least minimum wage (\$7.25 per hour) but may pay more. Duluth and Eagan, for example, pay \$8 per hour, with head judges earning more; Minneapolis pays \$8.25 per hour; workers in Ramsey County earn \$8-\$12 per hour, and poll workers in Rochester earn \$8-10 per hour. 2008: (32,669 poll workers x 82% metro and large rural x 10 hours x \$8/hr) x 25% savings = \$535,772. 2010: (26,950 poll workers x 82% metro and large rural x 10 hours x \$8/hr) x 25% savings = \$441,980.

35 Estimate is based on the value of time savings for 2,154,687 Election Day voters in precincts with e-pollbooks (2,627,688 Election Day voters x 82% metro and large rural) in 2008 at a rate of \$13.00 per hour. The hourly rate is based on the assumptions used in the Minnesota Department of Transportation estimate of the cost impact of the 35W bridge collapse. Minn. Dept. of Transportation, Road-User Cost Due to Unavailability of Interstate 35W Mississippi River



Just a 2 minute savings in time could save close to \$1 million. Yes, this would not be a savings to the election system, but it's certainly worth noting.

**b. More efficient post-election data entry**

The biggest benefit to local governments of electronic poll books comes after voters go home and local officials face the task of updating their records. When a person shows up at a polling place having already been registered, the election judge affixes an electronic bar code to the paper roster, signifying that the voter received a receipt for a ballot. After the election, local government employees must “wand” the electronic bar codes to update the SVRS.

Local officials must also verify that newly registered voters are not already entered into the SVRS. If that is the case, they must then enter a voter’s name, address, and other information into the system.

Taken together, the tasks of entering information for new voters and updating the voting history of everyone who showed up to vote takes up valuable staff time. How many resources does it take to process voter information after the election? The authors of this report contacted local officials in several counties, including Carver, Chisago, Dakota, Hennepin, Isanti, Olmsted, Ramsey, Washington, and Wright Counties. All report that post-election processing is a major undertaking that takes “weeks” and usually “months.” Some counties hire temporary workers, and some enlist staff from outside the elections office, representing a diversion from other tasks.

While few counties were willing or able to supply a hard estimate of the number of hours worked, two counties provided specific estimates.<sup>36</sup> Isanti County

Crossing at Minneapolis, Minnesota (Aug. 6, 2007), available at <http://www.dot.state.mn.us/i35wbridge/rebuild/pdfs/I-35WMississippiRiverCrossingRoad-UserCost.pdf>.

36 The election supervisor in Hennepin County provided a “ballpark” estimate that the county spent \$25,000 in 2006 and \$45,000 in 2008 on temporary workers to do several weeks of data entry of registration cards completed on Election Day. Assuming a similar amount spent in 2008 per

**Table 4: A summary of post-election data entry costs**

County	Cost per vote cast (2008)	Extrapolated to all of Minnesota
Ramsey	\$0.15	\$478,000
Isanti	\$0.21	\$669,000

Note: The extrapolation is based on the number of Minnesota voters in the 2008 general election.

put the post-election work at 350 to 400 hours. It hires temporary help, making the cost roughly 21 to 24 cents per voter.<sup>37</sup> Ramsey County offered that it takes roughly 1,400 hours of staff time to process Election Day registration information during a presidential year, and 700 hours to update voter history. A very conservative estimate puts the cost at \$42,000 in staff time, or 15 cents per voter.<sup>38</sup>

Given these facts, it’s no surprise that electronic poll books can save resources that would otherwise be spent on hiring temporary workers or diverting the time of non-election employees. For example, Debbie Door, a county clerk in Missouri, implemented an electronic poll book using iPads. A task that used to take six weeks can now be done in one day, she has said. The county clerk in Tippecanoe, Indiana estimates \$10,000 in savings from automated updates to the voter registration record, which works out to 14.4 cents per voter in 2008.<sup>39</sup> A comparable Minnesota county would reap

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voter across Minnesota, the statewide cost to process just registration cards would be \$200,000 or 6.8 cents per vote. Since this figure does not include the work of updating voter histories, it is not included in the estimates of possible cost savings.

37 The estimate for Isanti County assumes a labor time of \$12 per hour, and is based on 20,053 presidential ballots having been cast in 2008.

38 The estimate for Ramsey County assumes that officials working on election matters are earning \$20 an hour in salary and benefits.

39 Indiana Fiscal Policy Institute, “Vote Centers and Election Costs,” January 2010, available at [http://www.in.gov/sos/elections/files/IFPI\\_Vote\\_Centers\\_and\\_Election\\_Costs\\_Report.pdf](http://www.in.gov/sos/elections/files/IFPI_Vote_Centers_and_Election_Costs_Report.pdf). 69,574 people voted in Tippecanoe County, Indiana in 2008. Tippecanoe County Board of Elections and Registration, Tippecanoe County: General Election 2008 (Decem-

additional savings by eliminating manual Election Day registrant processing.

An objective analysis of e-poll book installations suggests that the long-term return on investment equals or exceeds the costs. In Pennsylvania, the estimate is a payback period of 15 to 20 years.<sup>40</sup> While that sounds like a long time, antiquated laws in the commonwealth drive up the costs of elections. For example, poll workers must perform certain functions that could be automated, precincts cannot be combined for poll worker or technology purposes, and each precinct must have no more than 1,100 voters. Minnesota has none of these or any similar election administration restrictions, so it could make fuller use of the benefits from electronic poll books, and have a shorter payback period.

As a bonus, registering and processing voters through e-poll books in Minnesota would eliminate data entry errors that currently take place when election workers try to decipher voters' handwriting. It would also eliminate inconsistencies in address format that challenge attempts to keep the state's voter registration list clean, or free from errors and duplications.

**c. Less need for printing paper with electronic poll books**

Estimates of return on investment from implementing photo ID have also not taken into consideration the savings that would result from the Office of the Secretary of State not having to print paper rosters and send them to counties, or of counties having to print their own. Governments would save thousands of pounds of paper and tens of thousands of dollars by not having to print voter rosters for the polling places each election cycle. Steve Harsman, director of elections for Montgomery County, Ohio, says e-poll books will save the county from having to print 500,000 pages of signature books and street

directories.<sup>41</sup>

**d. Less need for printing postal validation cards with electronic poll books**

After local election officials submit new or updated voter information to the SVRS, the Office of the Secretary of State sends out postal verification cards (PVCs), which are supposed to safeguard the integrity of the voter rolls.<sup>42</sup> It then bills counties 30 cents per card. The result is that counties must pay \$150,000 for mailing expenses—expenses that could be eliminated by the use of electronic poll books that could be updated on Election Day. Officials may, however, decide that the cost of sending out the cards can be justified on the grounds that they inform new voters of important information, so these savings have not been included in the cost and benefit estimates.

**e. Less need for reviewing postal verification cards with electronic poll books**

Each year, an unknown number of postal verification cards are returned to county auditors for review. At a conservative estimate of 5 minutes per card and \$20 per hour for staff time, each returned card costs \$1.60 in staff time. The total cost, which depends on how many cards are returned, would likely decline with the use of e-poll books.

**f. Less demand on county attorney staff for post-election law enforcement**

Estimates of return on investment from implementing photo ID have never taken into consideration the savings that would result from Minnesota's county attorneys not having to investigate and ultimately clear the hundreds of people statewide who accidentally vote in the wrong precinct. With a photo ID requirement in place, voting in

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ber 2008), available at [http://www.tippecanoe.in.gov/egov/docs/1232543026\\_407623.pdf](http://www.tippecanoe.in.gov/egov/docs/1232543026_407623.pdf).

<sup>40</sup> Personal communication between the authors and Data-Card.

<sup>41</sup> Lynn Hulsey, "Electronic sign-ins will be used Tuesday," *Dayton Daily News*, November 7, 2011.

<sup>42</sup> The U.S. Postal Service returns undeliverable cards to county officials, who then set a flag in the voting roster for election judges.

**Table 5: Savings of photo ID with electronic poll books**

Category	Low estimate	High estimate
Fewer election judges	\$440,000	\$535,000
Less time for data entry of election-day registration information and updating voter history	\$478,000	\$669,000
Less time spent by county attorneys	\$30,000	\$45,000
<b>Total</b>	<b>\$952,000</b>	<b>\$1,249,000</b>

the wrong precinct would be prevented before it happened. According to a report issued by the Secretary of State’s office, county auditors referred 399 cases to county attorneys from the November, 2010 election.<sup>43</sup> Minimally, this costs \$30,000 in staff time during an off-year, and \$45,000 in a presidential year.<sup>44</sup>

Currently, the people who purposely vote in the wrong precinct get off the hook because there is no way to distinguish them from those who accidentally do so. Yet the county attorneys’ must deal with all of them. That wastes resources that could be used to investigate voter fraud or other crimes. Unfortunately, this cost is difficult to estimate because the cost is absorbed by the county attorneys’ office.

#### 4) Summary of benefits: rough estimates

Based on the preceding data on financial benefits, a decreased need for poll workers and more efficient data entry may save roughly \$952,000 to \$1,249,000 in a general election year (\$440,000 to \$535,000 in fewer poll workers, \$478,000 to \$669,000 in registration card processing and voter data updates, \$30,000 to \$45,000 in less time required by county attorneys). Taking the midpoint of that estimate works out to \$1.1 million in savings.

43 Office of the Minnesota Secretary of State, “Postal Verification Card Report for the November 2010 Election,” March 1, 2011, available at <http://archive.leg.state.mn.us/docs/2011/mandated/110303.pdf>.

44 The calculations are based on the following assumptions: Each case takes 1 hour, on average, to process, at a cost of \$75 per hour. The turnout in the 2008 presidential election was 50 percent higher than that in the 2010 gubernatorial election.

Obviously that is a very rough estimate. Another rough estimate can be made by looking at reported savings from various counties around the country and extrapolating those savings to Minnesota. Table 6 identifies cost savings from various counties and translates them into a savings-per-2008 voter in Minnesota. Extrapolating from the range of savings shown in Table 6 to Minnesota reveals a range of savings between \$671,000 and \$1,225,000. That’s not too far off from the previous estimate of Table 5.

Based on these admittedly rough estimates, Minnesota can expect an ongoing savings of at least \$1.1 million due the implementation of e-poll books alone. Importantly, this savings estimate does not account for the greater efficiency of pairing photo ID with e-poll books, savings from not printing paper poll books, and savings from reducing the number of PVC mailings.

#### C. Summary of the financial cost and benefits

To summarize, on the cost side of the equation, Minnesota can expect a total of \$2.9 million in the first major election, \$915,000 in the second major election and less still in subsequent elections. In the out years, providing free IDs is the only substantial ongoing cost and that quickly shrinks to just \$215,000 per year.

Ignoring possible financial benefits to offset these costs, these costs are a small price to pay to maintain the integrity of our elections which is fundamental to the continued success of our representative democracy. Elections are a core function of government that deserves to be a top priority.

**Table 6: E-poll Book Savings Estimates Based on Reported Savings from Various Counties**

County	Savings	2008 Voters	Savings per 2008 voter	Extrapolated to all Minnesota voters
Henrico County, Virginia	\$65,650	156,527	\$0.419	\$1,225,000
Davidson County, Tennessee	\$70,000	265,727	\$0.263	\$769,000
Butler County, Ohio	\$40,000	174,058	\$0.230	\$671,000

Sources: Henrico County, Budget proposal, March 6, 2012, available at <http://www.co.henrico.va.us/finance/ProposedAFPcurr/08.pdf>; Henrico County, Henrico County, election results, November 4, 2008, available at [http://www.co.henrico.va.us/registrar/pdfs/2008NOV\\_GeneralElectionResult.htm](http://www.co.henrico.va.us/registrar/pdfs/2008NOV_GeneralElectionResult.htm); Davidson County Election Commission, “Minutes of the Davidson County Election Commission,” October 26, 2011, [www.nashville.gov/vote/docs/minutes/111026.docx](http://www.nashville.gov/vote/docs/minutes/111026.docx); Tennessee Secretary of State, “Statistical Analysis of Voter Turnout for the November 4, 2008 Election,” available at <http://www.tn.gov/sos/election/data/turnout/2008-11.pdf>; Lauren Pack, “Electronic poll books expected [sic] save money and time,” *The Pulse*, February 21, 2012, available at <http://www.pulsejournal.com/news/news/national-govt-politics/electronic-poll-books-expected-save-money-and-time/nNSH8/>; Butler County, “Election Summary Report,” March 6, 2009, available at <http://www.butler-countyelections.org/content/documents/nov08.pdf>.

Photo ID cost savings from streamlining Election Day registration and reducing demands on county attorney staff may offset this ongoing cost. The cost savings of photo ID when paired with e-poll books may even offset the start-up costs. After an initial investment of \$5 million in e-poll books, the data in this report point to substantial ongoing savings in excess of \$1.1 million per statewide election. And there were substantial savings that this report was not able to measure, such as less need for printing paper ballots and less need for printing, mailing and reviewing postal verification cards. There will also be savings in off-year local elections as well. Over the long-term these savings may very well pay off the start-up costs and result in an overall savings to the election system.

#### IV. Civic benefits of photo ID

Even without long-term savings, the civic benefits of photo ID are well worth the investment. Here is a review of the many civic benefits that will accompany the passage of the photo ID amendment.

##### A. Nobody is turned away on Election Day

Putting a provisional balloting system into place for people who come to the polling place without a

photo ID would ensure that every Minnesotan has the opportunity to vote, regardless of preparedness on Election Day. Currently, unregistered voters who arrive at the polling place without documentation, or a friend to vouch for them, must be sent away. Under the system established by the amendment, such voters would be able to cast a provisional ballot, and verify it later.

##### B. Increased voter confidence in the election system and increase the legitimacy of government

Government has the power to tax and regulate behavior, and to punish citizens for breaking the law. Since that is the case, the people need to accept its power as legitimate for our system of government to function. In America, the consent of the governed is partly expressed through periodic and regularly scheduled elections. But if the process of holding an election and counting the votes is suspect in the public’s mind, the results of the election, and what government does, will be considered illegitimate. Moreover, as Justice Stevens explains in *Crawford v. Marion County Election Board*, “public confidence in the electoral process has independent significance, because it encourages citizen participation in the democratic process.”<sup>45</sup> Since the people entrust

<sup>45</sup> 553 U.S. 181, 196-97 (2008).

government with power, they should expect that elections are as clean as humanly possible. Given Minnesota's closely divided nature, public trust in the election systems is of even greater importance.

### C. Providing enabling documentation to thousands

Another benefit of the photo ID requirement is that people who currently have no photo ID would receive one at no charge to them. This will be especially beneficial if the amendment's enabling legislation provides access to standard State IDs. Many public policy experts from across the political spectrum have commented on the empowering and enabling qualities of a photo ID—for opening a bank account, applying for a job, accessing government services, and so on. Former President Jimmy Carter and Andrew Young, the former African-American mayor of Atlanta—both Democrats—have endorsed the photo ID requirement for these reasons.<sup>46</sup> With passage of the photo ID amendment, even everyday activities like picking up a prescription and disposing of leaves at the local compost station would be open to people currently without photo ID.

### D. Promoting voting integrity while maintaining Election Day registration

Minnesota is one of only nine states to allow people to register to vote on Election Day.<sup>47</sup> Election Day registration is an important part of Minnesota's election landscape, and one reason why the state leads the nation in turnout. Ballots cast by people who registered on Election Day made up 19 percent

of the votes cast in the three presidential elections since 1996, on average, and 13 percent of votes cast in off-year elections.<sup>48</sup>

Opponents of the amendment, including Minnesota Secretary of State Mark Ritchie, have argued that it would eliminate Election Day registration. As explained previously, it would not.

Almost everyone who comes to the polling place as an unregistered voter bears a document, such as a utility bill, that has their current address on it. They may also bring some sort of identification that bears a photograph, though with an old address. Under the amendment, they could still register and vote, so long as they bring a photo ID.

What would change is that one means of obtaining Election Day registration, vouching, would be gone. Under vouching, someone is allowed to register on Election Day without submitting documentation – photo ID, utility bill, whatever – of any sort.<sup>49</sup> All that is required is that a person (registered in that precinct) vouch that he or she has personal knowledge of the voter's address. While vouching may have made sense decades ago in small towns, recent developments in Minnesota and the nation suggest that it may not work well in our more urban and mobile society of today.<sup>50</sup> Otherwise, vouching would have been expected to catch on in other states (vouching is only allowed in Minnesota and Iowa). A person may vouch for up to 15 other people in his or her precinct under current law. Under a photo ID requirement, there would be no need for vouching, as each person seeking a ballot would have the necessary identification.

46 See the website of the Commission on Federal Election Reform, otherwise known as the "Carter-Baker Commission," available at <http://www1.american.edu/ia/cfer/>.

47 National Conference of State Legislatures, "Same-Day Registration," available at <http://www.ncsl.org/legislatures-elections/elections/same-day-registration.aspx>. Connecticut recently approved a law allowing for Election Day registration. See Keith M. Phaneuf and Arielle Levin Becker, "Senate gives final approval to Election Day registration," May 5, 2012, *The CT Mirror*, available at <http://ctmirror.com/story/16254/senate-gives-final-approval-election-day-registration>.

48 Office of the Minnesota Secretary of State, "2011-2012 Minnesota Legislative Manual (Blue Book)," available at <http://www.sos.state.mn.us/index.aspx?page=1676>. See the chapter "Minnesota Votes."

49 Vouching is described in Minn. Stat. §201.061, subd. 3(a)(4).

50 Joe Kimball, "U of M students may face election-vouching fraud probe," *MinnPost*, November 8, 2010, available at <http://tinyurl.com/ckeeps8m>.



## E. Photo ID would promote voter turnout by protecting the integrity of the ballot

Opponents of a photo ID requirement often claim it constitutes an unbearable burden that could cause disenfranchisement and lower voter turnout, especially among elderly or minority citizens. They say this with absolutely no evidence. In fact, there is evidence to the contrary. In Indiana, voter turnout increased after implementation of a photo ID based on a comparison of voting in the 2002 and 2006.<sup>51</sup>

Our own state history suggests that increased voter participation and increased efforts to promote voting integrity go hand in hand. Through the 1970s, '80s, and '90s, the focus in elections moved almost exclusively toward increasing access and away from ensuring integrity. Minnesota's voter participation rates, while high, trended downward. In the early 2000s, with increased focus on both access and integrity, voter participation rates increased and hit levels not seen in decades. Since the current secretary of state took office in 2006 and de-emphasized election integrity, voter turnout, while still highest in the nation, has waned from its highs.<sup>52</sup>

## V. Conclusion

The proposed constitutional amendment on photo ID has been subject to claims that it is an unfunded mandate that will harm local government finances and delay election results. The core of the argument is that the amendment will require either provisional voting for the Minnesotans who use Election Day registration (roughly 500,000 people in each presidential election) or electronic poll books in each precinct, each equipped with an expensive broadband connection. Either option would indeed

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51 Jeffrey Milyo, *The Effects of Photographic Identification on Voter Turnout in Indiana: A County Level Analysis*, Institute of Public Policy, University of Missouri, Report 10-2007 (November 2007), available at [http://brennan.3cdn.net/52cdaf4251969e2042\\_vnm6ivu54.pdf](http://brennan.3cdn.net/52cdaf4251969e2042_vnm6ivu54.pdf).

52 Office of the Minnesota Secretary of State, *Blue Book*.

be a recipe for chaos and financial harm. This report finds no merit in this argument.

Some upfront costs would come to local governments that purchase and use electronic poll books as their own calculations dictate. But given the experience of other states, we can expect that they will also enjoy reduced election-related demands on their staff and lower costs. Voters will appreciate faster check-ins, and state citizens as a whole will benefit from voter rolls that have improved accuracy. Overall, depending on how photo ID is implemented, these efficiencies may offset both local and state government costs.

Assume, though, that the wild cost projections of ID opponents are correct. There are some things that government should not spend money on; some things that it might spend money on, depending on the political winds; and some things that, if government is to maintain its legitimacy, it must spend money on. This category, which is fairly small, includes a fair and impartial judiciary and an elections process that inspires public confidence in its integrity and accuracy. Given the importance of the electoral process, a photo ID requirement with associated reforms is well worth even the \$90 million envisioned by Common Cause Minnesota.

When the state has an all-funds budget of \$60 billion each biennium, it should not be hard to find \$90 million to fund this core government function. Fortunately, the cost to implement photo ID is much less than that: \$2.8 million for the first election, with costs declining after that, as well as the real possibility of long-term savings. ■

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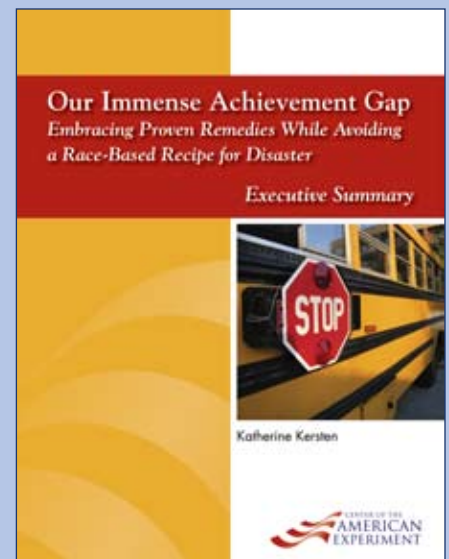
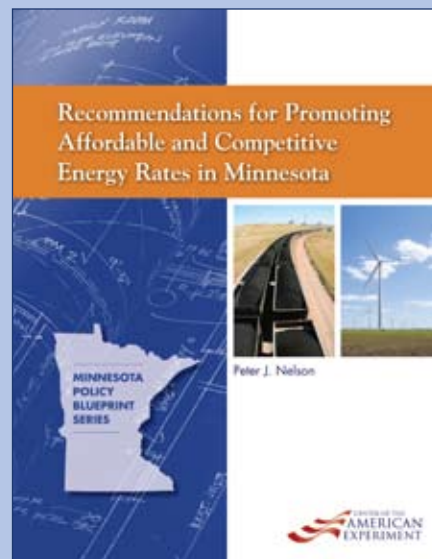
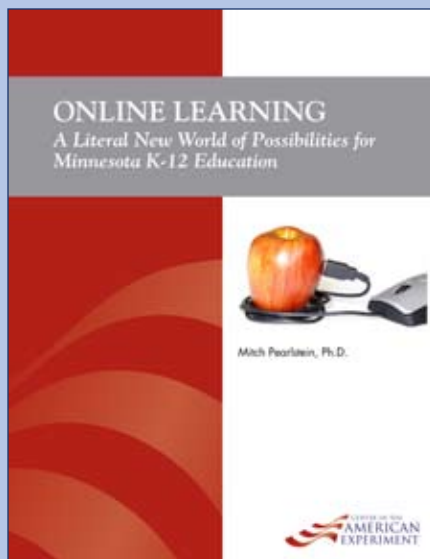


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